



Town of Jericho
DEVELOPMENT REVIEW BOARD

67 Route 15
Jericho, VT 05465

VOL: 331 PG: 48 - 52
INST: 11008024

Via Certified Mail

June 23, 2016

Great Northern Development Corporation
c/o Josh Girard
11 Raceway Road
Jericho, VT 05465

RECEIVED & RECORDED
Jun 24, 2016 08:15A
DOCUMENT TYPE: FINDINGS OF FACT & COND
DOCUMENT NUMBER: 11008024
JESSICA R. ALEXANDER, TOWN CLERK
JERICHO, VT

RE: 3 Raceway Road, 8-Lot PUD

Dear Mr. Girard:

At a meeting of the Jericho Development Review Board held on 26 May 2016, the Board heard your request for an 8 lot, 7-unit PUD on a single parcel of land of ± 37 acres. Lots 1-7 are clustered residential lots: Lot 1 (.55 acres), Lot 2 (.66 acres) Lot 3 (.68 acres), Lot 4 (.77 acres), Lot 5 (.93 acres), Lot 6 (.62 acres), Lot 7 (.64 acres). Lot 8 is an open space lot of ± 30.99 acres. The property is located at 3 Raceway Road in the Village and Agriculture Zoning Districts. The Parcel Code is RW003.

After review of the application, the Board **unanimously** voted to approve your request with conditions. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on 26 May 2016:

FINDINGS OF FACT

1. The project proposed is for a PUD Subdivision of a ± 32 acre parcel (RW003) to create 7 single family residential lots: Lot 1 (.55 acres), Lot 2 (.66 acres) Lot 3 (.68 acres), Lot 4 (.77 acres), Lot 5 (.93 acres), Lot 6 (.62 acres), Lot 7 (.64 acres) and one open space lot, Lot 8 (± 30.99 acres).
2. The parcel is has frontage on VT Route 15 and Raceway Drive and is located in the Village (VIL) Zoning District and the Agriculture (AG) Zoning District. The access to the parcel is located off of Raceway Road.
3. The plans show a new private road, to be named "Bittersweet Lane," that has been designed to comply with the Jericho Public Works Specifications.
4. The number of proposed residential dwellings conforms to the permitted PUD residential density allowed by the *Jericho Land Use and Development Regulations* §10.13.7., as calculated for the 32 acre lot
5. The Applicant provided ITE traffic data demonstrating that the increase in traffic generated as a result of this project does not trigger a traffic study, per the *Jericho Land Use and Development Regulations* §11.1.5.1. As an overall percentage of traffic

generated on Raceway Road, there is minimal anticipated impact to public road network in the neighboring developments.

6. The site plan shows a Class II Wetland and a surrounding 50' buffer zone on portions of Lot #6, Lot # 7 and Lot #3. The building envelopes on these lots are located outside of the Class II wetland and wetland buffer. The applicant has agreed to place a split rail fence along the buffer boundary on Lot #6 and Lot #7.
7. A Wastewater System and Potable Water Supply application was submitted to the Department of Environmental Conservation, dated 5/17/2016.
8. Documentation has been received from the Village of Jericho Water Department and the Mount Mansfield Modified Union School District, stating that they can provide services to the proposed new homes created by this subdivision.
9. As shown by the *Site Plan*, the majority of the lot will be designated common land (± 30.99 acres) meeting the open space requirements for this PUD. Access and use of the common land will be subject to the conditions of the *Declaration of Planned Community for Mansfield Views Planned Community, Deeds for Lots 1-8*, submitted to the Jericho Development Review Board on April 20, 2016.
10. A state Individual Stormwater permit will be required and be provided prior to construction.
11. In response to comments received during the final hearing, the applicant has agreed to include the additional label of the River Overlay District Boundary in conjunction with the FEMA 100-year Flood Hazard Area on the plans.
12. Development remains outside of the Fluvial Erosion Hazard Area of the Browns River.
13. A former rail bed, now a VAST trail, that is shown as a desired multi-use path in the Town Plan and recent Bike and Pedestrian Master Plan, runs through the open space parcel in the Town Plan.
14. The applicant offered a 15 foot pedestrian easement along the Raceway Road frontage. A 15 foot pedestrian easement will also be required along the VT Route 15 frontage.
15. The applicant requested to be allowed to begin site work on the project infrastructure upon issuance of a zoning permit ahead of the state approved water and wastewater permits.

CONDITIONS

1. The subdivision shall adhere to the plans entitled "7-Lot Planned Unit Development Raceway Road, Jericho Vermont," dated March 20, 2016, prepared by O'Leary-Burke Civil Associates, PLC submitted to the Development Review Board on May 26, 2016.
2. Within 180 days of approval by the Development Review Board, a Mylar copy of the Final Plat shall be submitted for recording by the applicant, signed by the Chair of the Development Review Board and filed with the Jericho Town Clerk.
3. The Landowners shall grant a formal option agreement for the Town of Jericho to acquire the remnants of the former Burlington and Lamoille Railroad bed for a multi-

use path to be drafted by the applicant , approved by town council and recorded in the Town Land Records. The landowner shall grant this option at no charge to the Town.

4. Based on FOF #15 the applicant shall grant the Town of Jericho two 15' pedestrian easements, one located along the 63' wide strip that abuts Route 15 and the other being located along the joint frontage of the Route 15 and Raceway Road intersection.
5. The reconfigured lots shall be monumented in accordance with the *Town of Jericho Land Use & Development Regulations* §11.4.10.
6. Prior to issuance of any Zoning Permit, an approved Road Access Permit must be provided to the Zoning Administrator for the private road serving the proposed new dwellings. This private road shall conform to the *Town of Jericho Public Works Specifications Ordinance*.
7. Prior to issuance of any Zoning Permits for construction of the homes, an approved state water and wastewater permit must be provided to the Zoning Administrator.
8. The applicant may obtain a permit for general site work to construct the road and other infrastructure prior to receiving state water and wastewater permits on the condition that the applicant will be responsible for returning the site to its preconstruction state if the water and wastewater permits are not obtained.
9. Prior to issuance of any Building Permits, the town attorney approved deeds for the easements along VT Route 15, Raceway Road and the railroad bed must be filed in the Town of Jericho Land Records.
10. Prior to issuance of a Building Permits, a town attorney approved copy of the final *Declaration of Planned Community for Mansfield Views Planned Community, Deeds for Lots 1-8*, must be filed in the Town of Jericho Land Records. The declaration shall be revised to include the protection and restriction language in the Jericho Land Use Regulations for the area in the current River Overlay, Flood Hazard Area, and Class II wetlands. Edits shall also include those provided by the Town Attorney dated 5/11/16.
11. Prior to issuance of a Building Permits, a town attorney approved copy of the final deeds for Lots 1-7 must be filed in the Town of Jericho Land Records. These deeds shall include the septic easements, roadway access and utility easements, and wetland buffer restriction for Lots 5 and 6.
12. Prior to issuance of a Building Permits, a town attorney approved copy of the final deed for Lot 8, including common elements, roadway access, utility and septic easements benefiting Lots 1-7. The deed shall include the protection and restriction language in the Jericho Land Use Regulations for the area in the current River Overlay, Flood Hazard Area, and Class II wetlands and shall mirror that of the *Declaration of Planned Community for Mansfield Views Planned Community, Deeds for Lots 1-8*.
13. The purchasers of any proposed new dwelling in this subdivision shall be shown a copy of this approval prior to any written contract of sale.
14. In accordance with the *Town of Jericho Land Use & Development Regulations* §9.9.1. and §11.12.2., all new utilities shall be run underground to any new structures on the property.

15. All other improvements shall adhere to the requirements of the *Town of Jericho Land Use & Development Regulations* in effect as of this date.
16. Landscaping shall be installed in conformance with the Planting Specifications in the *Town of Jericho Land Use & Development Regulations* §11.8.7. At the time of planting, canopy-forming deciduous trees shall be at least 2 inches in diameter, measured at a point four feet above finished grade. All plantings shall be guaranteed for a period of three (3) years from the date of planting. Per the requirements of this section, the trees selected for planting along the shared driveway and cul-de-sac shall be a species that reaches a mature height of 40 feet or more, otherwise the spacing of the trees as shown on the plans shall be reduced.
17. In accordance with the *Town of Jericho Land Use & Development Regulations*, all areas exposed during construction shall be treated in a manner consistent with the procedures contained in the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites published by the Vermont Department of Environmental Conservation.
18. The applicant will obtain and abide by all conditions of all other required local and State permits.
19. The project will be constructed and subsequently operated consistent with all Findings of Fact set forth above and in any other permit obtained by the applicant for this project.
20. Substantial revisions to this plan shall require the further review and approval of the Development Review Board at a publicly warned hearing.
21. By acceptance of these conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.

Motion by Stephanie Hamilton to approve the request by Great Northern Development (c/o Josh Girard) for an 8-lot PUD subdivision of RW003. Seconded by Joe Flynn. Those in favor: Barry King, Stephanie Hamilton, Joe Flynn, Jeff York, and Bruce Jacobs. Opposed: None. Abstained: None. Motion carried 5-0. The application was approved.

In accordance with 24 V.S.A. § 4471 any person may appeal any decision of the Development Review Board to the State Environmental Court.

Sincerely,



Barry J. King, Chair
Jericho Development Review Board

cc: Josh Girard
Stephen and Frances Boucher Living Trust
Interested Parties
Town Clerk

Zoning Administrator
Lister - Town of Jericho
Selectboard

VOL: 331 PG: 52
INST: 11008024